

January 25, 2022

FAVORABLE, SB165

Chair Will Smith
Judicial Proceedings Committee
Maryland Senate

Dear Chair Smith, Vice Chair Waldstreicher and Members of the Judicial Proceedings Committee:

I write in strong support of SB 165 to end the automatic charging of children in Maryland's adult Circuit Court. As an Assistant Public Defender in Montgomery County for almost 20 years, I have represented dozens of children who faced adult charges. In my experience in Rockville, and as the data shows statewide, very few of those cases actually remained in the adult court. These "Transfer" hearings traumatize the children charged, their families and all of those involved in the cases, including the victims. Also, these hearings are a tremendous waste of resources for our Courts and related agencies.

Most importantly, I urge your support for this bill because children should be treated as children. Through personal and parenting experience, many of us have witnessed firsthand what experts from the American Psychiatric Association and numerous other brain science experts have concluded in their various studies – Children brains are not fully developed. Therefore, children lack the decision making ability that their adult counterparts possess.

Finally, I ask you to pass this bill to promote racial justice, fairness and equity. As with so many other aspects of our court system, automatic charging has resulted in the disproportionate charging of children of color. In my courthouse, according to recent data from the Department of Juvenile Services, 95% of children facing adult charges are children of color.

Again, I ask you for your support for this important bill to promote justice in our state. Thank you for your consideration.

Sincerely,
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